

pleaded by the religious was hypocritical. It was not merc[^] to rob a creditor of his due.¹ The clergy did not forgive men debts due to them.² 'False piety and unjust pity are to be condemned,'³ He devotes much of his pamphlet to the consideration of the privilege from the point of view of the Church herself. Such rights as these, and the perpetual struggle for them, only served to make the clergy forgetful of the true service of God. It was his theory that they would be improved and spiritualised by the loss of their worldly goods. In the same way, he maintained, loss of worldly privileges would be no less beneficial. The experiment was tried at the time of the Reformation, not wholly without success.

In vain Wycliffe argued, in vain the Commons petitioned and the Lords hectored. From all the mountains of talk in the discussions at Gloucester there came forth the most absurd legislative mouse, in the shape of a statute passed at Westminster by the next Parliament in the spring of 1379. By this act the fraudulent debtor taking Sanctuary was to be summoned at the door of the church once a week for thirty-one days. If at the end of that time he refused to appear, judgment was to go against him by default, and his goods, even if they had been given away by collusion, might be seized for his creditors.⁴ This mild measure, which was scarcely an interference with the right of Sanctuary itself, was accepted even by the staunchest adherents of the Church. It only took effect in cases of fraudulent debtors, and even against them it proved but a partial and clumsy remedy. In 1398 the burghers of Colchester complained that their Abbey still afforded protection to such persons, and Westminster long remained the notorious asylum of men who brought with them their creditors' goods.⁵ As to Sanctuary for crime and trespass, the statute of 1379 left the law as it had been. Yet this compromise, if such it can be called, appears to have allayed agitation against the privilege on the part of the King and Lords. It was not till Henry the Eighth's reign that

¹ *De Etc.* * 232. » *Ibid.* 214-5. * *Ibid.* 261.

⁴ *Stats. of Realm*, 2 K. n, 2; *Rot JPoz.*, «i. 62. *

Wals. i. f. 91.

« *Cutts' Colchester*, 150 »
Stanley's *West. Abbey* 2nd ed.),
891.